

**METRO FLOOD DIVERSION AUTHORITY  
OCTOBER 25, 2018—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Metro Flood Diversion Authority was held Thursday, October 25, 2018, at 3:30 PM in the Fargo City Commission Room with the following members present: Moorhead City Council Member Chuck Hendrickson; Clay County Commissioner Kevin Campbell; Clay County Commissioner Grant Weyland; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Dave Piepkorn; Cass County Commissioner Mary Scherling via conference call; Cass County Commissioner Rick Steen; West Fargo City Commissioner Mike Thorstad; and Cass County Joint Water Resource District Manager Dan Jacobson. Tom Dawson, Chair of the Chamber Business Leaders Task Force, was also present. Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Joel Paulsen; Fargo City Commissioner Tony Grindberg; and Cass County Commissioner Chad Peterson were absent.

**2. MINUTES APPROVED**

*MOTION, passed*

**Mr. Steen moved and Mr. Piepkorn seconded to approve the minutes from the meetings held September 27, 2018, and October 17, 2018, as presented. Motion carried.**

**3. AGENDA ORDER**

*MOTION, passed*

**Mr. Weyland moved and Mr. Steen seconded to approve the order of the agenda. Motion carried.**

**4. MANAGEMENT UPDATE**

Martin Nicholson from Jacobs provided an update on activities over the last month, which include continued support to the Corps of Engineers and MDNR to advance the Supplemental Environmental Assessment (SEA) and Supplemental Environmental Impact Statement (SEIS); continued work with the MDNR and other parties to advance the permit application review; hosting a tour of flood protection projects and a special meeting with Major General Scott Spellmon, Corps of Engineers Deputy Commanding General for Civil Works; project briefing to Cass County legislators and legislative candidates; and initial development of a financial and funding strategy for Plan B.

Priorities for next month include initiating a plan to resume land acquisitions pending a decision on the Minnesota permit and environmental approval of Plan B; and review of the first phase of the flowage easement valuation study.

Mr. Nicholson said the project cost-to-date is \$439 million and \$30 million has been spent out of the FY2018 cash budget of \$82.6 million.

**5. PUBLIC OUTREACH UPDATE**

Committee report

The Public Outreach Committee met on October 24<sup>th</sup>. Rocky Schneider from AE2S said the website includes information on the meeting held last week with Major General Scott Spellmon and Senator John Hoeven. He said outreach continues with legislative candidates, and after the election, he anticipates briefings will be held with newly elected officials regarding the project. The committee discussed preparing an outreach plan regarding land acquisitions in anticipation of a decision from the MDNR on the permit and approval of the environmental reviews.

**6. LAND MANAGEMENT**

Mrs. Scherling said the Land Management Committee did not meet this month.

## 7. FINANCE UPDATE

### Committee report

The Finance Committee met on October 24<sup>th</sup>. Mr. Steen provided a brief financial update on the overall program status. The Diversion Authority has \$79,154,745 in cash on hand. The statement of net position is \$79,007,520.

### Voucher approval

The bills for the month are with Cass County Joint Water Resource District (CCJWRD) for costs associated with the Metro Flood Diversion, OHB levee, and in-town levees; Dorsey & Whitney for legal services; Cass County Government for culvert work on Main Street and Bakke Addition in Hickson; and Ohnstad Twichell, P.C. for legal services.

#### **MOTION, passed**

**Mr. Steen moved and Mr. Jacobson seconded to approve the vouchers received through October 19, 2018, in the amount of \$149,566.55. On roll call vote, the motion carried unanimously.**

### Financial Audit Subcommittee

Mr. Steen said the committee discussed conducting a financial audit in conjunction with the City of Fargo audit since the city handles the finances for the Diversion Authority. The committee recommended a subcommittee be formed to prepare for an audit for the year ending December 31, 2019.

#### **MOTION, passed**

**Mr. Campbell moved and Mr. Piepkorn seconded to create an audit subcommittee. Motion carried.**

### FY 2018 Adjusted Cash Budget and FY 2019 Budget Plan

Mr. Nicholson distributed two handouts regarding the FY 2018 budget. The first handout includes information on the approved cash budget, expenditures through August 31, 2018, remaining fiscal year budget, and proposed revisions. The revisions are a result of the injunction, which changed the project costs expended this year. The second handout includes some of the same information along with estimated expenditures for September through December and a revised FY 2018 cash budget balance.

Mr. Steen said the updated figures will help the Diversion Authority know what is available to prepare for the 2019 budget. The Finance Committee approved a recommendation to prepare the 2019 budget for the first quarter only until the Diversion Authority receives a decision on the Minnesota permit and injunction.

#### **MOTION, passed**

**Mr. Hendrickson moved and Mr. Steen seconded to prepare the FY 2019 budget through March of 2019. Discussion: Mr. Campbell asked if this will create any issues with federal funding for the project. Mr. Steen does not foresee any issues and said the first quarter budget will serve as a placeholder with the intention to prepare a full budget after a decision is made on permitting for Plan B. On roll call vote, the motion carried unanimously.**

### Recommended Contracting Actions

Mr. Nicholson discussed two task orders approved by the Co-Executive Directors, and the following contract action for a task order, which was approved by the Finance Committee:

- Houston-Moore Group, LLC (Task Order 17, Amendment 6 – 2<sup>nd</sup> Street South and Main Avenue Flood Mitigation)—add subtask B for Services During Construction (SDC) scope and budget, and extend the period of performance to June 30, 2020, in the amount of \$777,864.

***MOTION, passed***

**Mr. Steen moved and Mr. Hendrickson seconded to approve the task order amendment as outlined. On roll call vote, the motion carried unanimously.**

**8. NEXT MEETING DATE**

The next meeting will be held on Thursday, November 29, 2018.

**9. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Piepkorn, seconded by Mr. Steen, and all voting in favor, the meeting was adjourned at 3:55 PM.**

Minutes prepared by Heather Worden, Cass County Administrative Assistant